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RESOLUTION NO. 11-233

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTING PAVEMENT ON PUEBLO AND FROM THE EAST LINE OF RIDGE TO THE WEST LINE OF AIRPORT ROAD & MARIPOSA FROM THE EAST LINE OF RIDGE TO THE WEST LINE OF SIERRA & ON SIERRA FROM THE SOUTH LINE OF MARIPOSA TO THE NORTH CORNER OF LOT 3, BLOCK A AIRPORT INDUSTRIAL ADDITION (SOUTH OF KELLOGG, EAST OF RIDGE) 472-84646 IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF AUTHORIZING CONSTRUCTING PAVEMENT PUEBLO AND FROM THE EAST LINE OF RIDGE TO THE WEST LINE OF AIRPORT ROAD & MARIPOSA FROM THE EAST LINE OF RIDGE TO THE WEST LINE OF SIERRA & ON SIERRA FROM THE SOUTH LINE OF MARIPOSA TO THE NORTH CORNER OF LOT 3, BLOCK A AIRPORT INDUSTRIAL ADDITION (SOUTH OF KELLOGG, EAST OF RIDGE) 472-84646 IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That Resolution No. 08-016 adopted on January 8, 2007 is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to authorize constructing pavement on Pueblo and from the east line of Ridge to the west line of Airport Road & Mariposa from the east line of Ridge to the west line of Sierra & on Sierra from the south line of Mariposa to the north corner of Lot 3, Block A Airport Industrial Addition (south of Kellogg, east of Ridge) 472-84646.

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 3. That the cost of said improvements provided for in Section 2 hereof is estimated to Seven Hundred Sixty-Five Thousand Dollars (\$765,000) exclusive of the cost of interest on borrowed money, with 92.9 percent payable by the improvement district and 7.1 percent payable by the City-at-Large. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after July 1, 2007 exclusive of the costs of temporary financing.

SECTION 4. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

ROLLING HILLS MESA ADDITION

Tract 1: Lot 1, Block A  
Tract 2: Lot 2, Block A  
Tract 3: Lot 3, Block A  
Tract 4: Lot 4, Block A  
Tract 5: Lot 11, Block A  
Tract 6: Lot 12, Block A  
Tract 7: Lot 13, Block A  
Tract 8: Lot 14, Block A

Tract 9: Lot 1 Except the North 5 Feet and Except the West 5 Feet, Block B  
Tract 10: Lot 2 Except the North 5 Feet, Block B  
Tract 11: Lot 3 Except the North 5 Feet, Block B  
Tract 12: Lot 4 Except the North 5 Feet, Block B  
Tract 13: Lot 5 Except the North 5 Feet, Block B  
Tract 14: Lot 6 Except the North 5 Feet, Block B

AIRPORT INDUSTRIAL ADDITION

Tract 15: That Part of Lot 1 Beginning 143 Feet North of the Southwest Corner East 184.33 Feet North 176.86 feet to the North Line Southwesterly 184.87 Feet to the Northwest Corner South 157 Feet to Beginning, Block A  
Tract 16: East 100 Feet of Lot 1, Block A  
Tract 17: Lot 1 Beginning 143 Feet North & 184.33 Feet East of the Southwest Corner South 29 Feet East 27.50 Feet South 91 Feet to the South Line East 74 Feet North 300 Feet to a Point North Line Southwesterly 104.83 Feet South 176.86 Feet to Beginning, Block A  
Tract 18: That Part Lot 1 Beginning at the Southwest Corner North 143 Feet East 184.33 Feet South 29 Feet East 27.5 Feet South 91 Feet to the South Line Southwesterly 214.74 Feet to Beginning, Block A  
Tract 19: Lot 2 Except the West 100 Feet, Block A  
Tract 20: West 100 Feet of Lot 2, Block A  
Tract 21: Lot 3 Except Beginning at the Northwest Corner South to the Southwest Corner East 90 Feet North 150 Feet East to East Line North 150 Feet West to Beginning, Block A  
Tract 22: West 90 Feet of South 140 Feet of Lot 3, Block A  
Tract 23: Beginning at the Northeast Corner of Lot 3 South 150 Feet Westerly 245 Feet North 150 Feet Easterly 245 Feet to Beginning, Block A  
Tract 24: Beginning 90 Feet East of the Northwest Corner of Lot 3 South 150 Feet East 38.2 Feet North 150 Feet to the North Line West to the Beginning, Block A  
Tract 25: West 90 Feet of Lot 3 Except the South 140 Feet Thereof, Block A  
Tract 26: Lot 1 Except the North 160 Feet East 125 Feet & Except West 140 Feet & Except Beginning 160 Feet South of the Northeast Corner of Lot 1 Thence West 125 Feet South 18 Feet Thence West 120.7 Feet South 136 Feet M-L to South Line Thence East 245.7 Feet to Southeast Corner North to Beginning, Block B  
Tract 27: West 140 Feet of Lot 1 Except South 136 Feet, Block B  
Tract 28: South 136 Feet West 140 feet of Lot 1, Block B  
Tract 29: That Part of Lot 1 Beginning at the Northeast Corner South 160 Feet West 125 Feet North 146.22 Feet to Northerly Line Northeast 125.76 Feet to Beginning, Block B  
Tract 30: Lot 2 Except East 116 Feet, Block B  
Tract 31: East 116 Feet of Lot 2, Block B  
Tract 32: Lot 3, Block B  
Tract 33: Lot 4, Block B  
Tract 34: Beginning 160 Feet South of the Northeast Corner of Lot 1 Thence West 125 Feet South 18 Feet Thence West 120.7 Feet South 136 Feet M-L to South line Thence East 245.7 Feet to the Southeast Corner North to Beginning, Block B

SECTION 5. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a fractional basis.

That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a Fractional basis with Tract 1 paying (8484/683833), Tract 2 paying (8408/683833), Tract 3 paying (8485/683833), Tract 4 paying (8313/683833), Tract 5 paying (8400/683833), Tract 6 paying (8455/683833), Tract 7 paying (8408/683833), Tract 8 paying (8429/683833), Tract 9 paying (9251/683833), Tract 10 paying (9736/683833), Tract 11 paying (9704/683833), Tract 12 paying (9747/683833), Tract 13 paying (9659/683833), Tract 14 paying (9789/683833), Tract 15 paying (15811/683833), Tract 16 paying (14947/683833),

Tract 17 paying (14379/683833), Tract 18 paying (13654/683833), Tract 19 paying (73745/683833), Tract 20 paying (15246/683833), Tract 21 paying (42809/683833), Tract 22 paying (12678/683833), Tract 23 paying (37340/683833), Tract 24 paying (5907/683833), Tract 25 paying (14252/683833), Tract 26 paying (9664/683833), Tract 27 paying (10335/683833), Tract 28 paying (9739/683833), Tract 29 paying (9804/683833), Tract 30 paying (58432/683833), Tract 31 paying (40828/683833), Tract 32 paying (70716/683833), Tract 33 paying (70332/683833), Tract 34 paying (17947/683833), of the total assessed to the improvement district. With all tracts being described above.

Where the ownership of a single lot or tract is or may be divided into two or more parcels, the assessment to the lot or tract so divided shall be assessed to each ownership or parcel on a square foot basis. Except when driveways are requested to serve a particular tract, lot or parcel, the cost of said driveway shall be in addition to the assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements.

SECTION 6. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 7. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 8. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 9. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 10. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

PASSED by the governing body of the City of Wichita, Kansas, this 20th day of September, 2011.

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CARL BREWER, MAYOR

ATTEST:

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KAREN SUBLETT, CITY CLERK

(SEAL)

APPROVED AS TO FORM:

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GARY E. REBENSTORF  
DIRECTOR OF LAW